

TRACY D. LAMPKIN,)
)
 Plaintiff,) Civil Action File
)
 vs.) No: CV 1:06cv538-WKW
)
 UNITED PARCEL SERVICE,)
)
 Defendant.)
)

Esquire Corporate Services
(888)486-4044

1 A Robert Icenogle.
2 Q Okay. Are there any documents that
3 you -- relating to your employment with UPS that
4 you have had in your possession that you no
5 longer have?
6 A No, not to my recollection.
7 Q Okay. Have you at any point in time
8 prepared notes relating in any way to your
9 employment with UPS?
10 A When you say "notes," are you saying
11 as things that have happened to me while I was at
12 UPS?
13 Q Sure, any kind of notes that you
14 prepared in some way regarding your employment at
15 UPS.
16 A Yes.
17 Q Okay.
18 A As far as a letter that's stating --
19 Q No, just notes. It doesn't have to
20 be anything formal.
21 A Let me ask you this again.
22 Q Sure.
23 A When you're saying letters, are you
24 saying basically have I kept a record of things
25 that happened to me or dates that I've kept?

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1 Q When I say "notes," I would include
2 that, yes.
3 A No, I haven't turned in anything, any
4 notes or --
5 Q Well, just have you made any? Even
6 if you didn't give them to anybody or show them
7 to anybody, have you made any notes?
8 A I have.
9 Q Okay. And when did you make those
10 notes, if you remember?
11 A The notes were from -- they were from
12 -- I don't have the exact date but it was in '06,
13 last year, '06.
14 Q You didn't make any notes before
15 2006?
16 A No.
17 Q Okay. And those notes that you made
18 in 2006, have you given those to Ms. James?
19 A No.
20 Q But you still have them in your
21 possession?
22 A I've moved but yes, I do.
23 Q Okay. Have you given them to anybody
24 else?
25 A No way.

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1 Q At some point in time after you hired
2 Ms. James, did you go through all of the
3 documents in your possession and search for
4 documents, look for documents that you were going
5 to give to Ms. James?
6 A As far as the documents like with my
7 charge is what you're talking about?
8 Q Sure, but even broader than that, any
9 kind of documents that you felt like you needed
10 to give to Ms. James.
11 A Yes.
12 Q Okay. And did you -- when you
13 searched for those documents, did you
14 specifically look to see if you had any documents
15 you received from the EEOC?
16 A Yes.
17 Q Okay. And what documents were you
18 able to find, if any, in that regard?
19 A The letter that I submitted to the
20 EEOC, the charge.
21 Q What about any -- just right now, I'm
22 talking about just documents you might have
23 gotten from the EEOC that they sent to you. Did
24 you find any documents like that?
25 A Nothing but the letter of discharge.

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1 Q "Letter of discharge," was that a
2 letter of dismissal from the EEOC?
3 A Yes, from the investigation.
4 Q Okay. And that's the only document
5 that you had that the EEOC sent you?
6 A Yes.
7 Q And you gave that document to
8 Ms. James?
9 A Yes.
10 Q And then the next question, what you
11 were just telling me, did you look to see if you
12 had copies of documents that you had given to the
13 EEOC?
14 A Yes.
15 Q Okay. And what kind of documents did
16 you find in your possession?
17 A Just the letters that I had faxed to
18 the EEOC, to Ms. Barreas for investigation.
19 Q Do you remember how many letters that
20 you sent to her?
21 A I don't remember.
22 Q Do you remember roughly when you sent
23 them?
24 A No, I don't.
25 Q And that was Ms. Barreas?

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6 (Pages 18 to 21)

1 A Yes.
2 Q Including everything on Page 2 and 3?
3 A Yes.
4 Q Okay. And then on Page 3, there is
5 -- that's your signature on the line that says
6 charging party?
7 A It is.
8 Q And did you date it November 3rd,
9 2005?
10 A Yes.
11 Q Okay. When did you first, you
12 yourself first talk with someone at the EEOC?
13 A I do not remember.
14 Q Was it before you filed this charge
15 or after?
16 A I don't remember.
17 Q Okay. And you told me earlier you
18 talked with a -- was it Ms. Barreas --
19 A Ms. Barreas.
20 Q -- at the EEOC? Is she the only
21 person at the EEOC that you talked with?
22 A Yes.
23 Q How many times have you talked with
24 Ms. Barreas?
25 A More than five.

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1 Q And Ms. Barreas is an investigator at
2 the EEOC?
3 A Yes.
4 Q Were those -- had you talked with Ms.
5 Barreas in person or has it all been over the
6 phone?
7 A Over the phone.
8 Q On the times when you talked with
9 Ms. Barreas, was your lawyer, Ms. Crook, also on
10 the phone?
11 A No.
12 Q What did you talk about with
13 Ms. Barreas on those telephone conversations?
14 A To see if she received documentation
15 that I sent to her.
16 Q Okay. And what documents did you
17 send to her?
18 A I sent to her a letter, my pay raise
19 difference.
20 Q A letter that contained information
21 about a pay raise?
22 A Yes.
23 Q Okay. Was that a letter from -- who
24 was that letter from?
25 A From me.

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1 Q From you?
2 A Yes.
3 Q It was a letter that you just typed
4 up to the investigator and in it you put some pay
5 raise information?
6 A Yes, and a letter asking or
7 requesting for her to come down and do a physical
8 investigation of the center.
9 Q Any other documents that you sent to
10 the EEOC?
11 A No.
12 Q Just those two letters?
13 A No, it was more than two but that's
14 all that I could recall right now, those two
15 letters.
16 Q Okay. Do you recall when you sent
17 those two letters to the EEOC?
18 A I don't recall.
19 Q Do you still have a copy of those two
20 letters?
21 A Yes.
22 Q Have you given Ms. James a copy of
23 those letters?
24 A I don't remember if I did or not.
25 Q Do you remember the -- the first

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1 letter regarding your pay raise, do you remember
2 any more specifics about was it a pay raise for a
3 certain year or --
4 A Yes, it was a pay raise for Year
5 2004.
6 Q Okay. And did you tell the EEOC in
7 that letter what exactly -- what raise you got in
8 2004?
9 A Yes.
10 Q And do you remember how much that
11 was?
12 A Yes.
13 Q How much was it?
14 A Fifty dollars.
15 Q Per day, week?
16 A Month.
17 Q Per month. Are you paid in your job
18 as a part-time supervisor just once per month?
19 A Twice.
20 Q Twice per month. Any other
21 information in that first letter you sent to the
22 EEOC other than telling the investigator about
23 your 2004 pay raise?
24 A Well, it was basically comparing my
25 raise against Ryan Brown's raise --

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28 (Pages 106 to 109)

1 person was?
 2 A I don't remember the other guy's
 3 name.
 4 Q Did Mr. Sciro and this other person
 5 tell you that a degree would be beneficial or did
 6 they tell you that it was absolutely required?
 7 A Well, what he specifically said was
 8 UPS would look at the person with the degree
 9 before they considered anyone else.
 10 Q And for what position was Mr. Sciro
 11 and this other person talking about?
 12 A Anything that's going full-time.
 13 Q Management?
 14 A Yes, management.
 15 Q Management only?
 16 A Well, they didn't specifically say
 17 what. They just said anything full-time.
 18 Q Who is Mr. Sciro, do you know?
 19 A He's out of Birmingham.
 20 Q Do you know if he works in human
 21 resources in Birmingham for the Alabama district?
 22 A I know he works for the Alabama
 23 district but I don't know what.
 24 Q And you said he came to the Dothan
 25 center around July of this year?

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1 A Yes.
 2 Q Why did you meet -- how did you come
 3 about meeting with him?
 4 A I'm sorry, it was not July of this
 5 year. This is '07. It was -- I don't remember
 6 the exact date. I wrote it down but I don't
 7 remember the exact date but it wasn't July. It
 8 was not July.
 9 Q Was it 2007?
 10 A Yes.
 11 Q Where did you write them down?
 12 A At home on paper.
 13 Q On some notes that you kept?
 14 A Yes.
 15 Q Do you still have those notes?
 16 A Yes.
 17 Q Did you give a copy of them to
 18 Ms. James?
 19 A No, not that I remember. I called
 20 her and told her about it but I don't think I
 21 gave her no letter.
 22 Q And why was it that you were meeting
 23 with Mr. Sciro?
 24 A They wanted to come up and talk with
 25 me about what was going on, why do I feel like I

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1 was being discriminated against and can we settle
 2 this within this center.
 3 Q Was Jeff Poulter that other gentleman
 4 that you were speaking of?
 5 A Jeff Poulter.
 6 Q Jeff Poulter is the HR manager for
 7 all of UPS' Alabama district, isn't he?
 8 A Yes.
 9 Q And so he came with Mr. Sciro in 2007
 10 and spoke with you?
 11 A Yes.
 12 Q And they met with you regarding any
 13 interest you might have in other job positions,
 14 right?
 15 A Yes.
 16 Q Have you told me everybody now that
 17 has told you that you needed a college degree for
 18 any particular position at UPS?
 19 A Alicia Palauchi told me that UPS is
 20 big on degrees now as well and she is the human
 21 resource.
 22 Q Did she just tell you that UPS was
 23 big on degrees or that you had to have a college
 24 degree for a certain position?
 25 A She didn't. She just said they're

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1 big on degrees. She didn't say you have to have.
 2 Q When did Ms. Palauchi tell you that?
 3 A The first of the year, the first of
 4 this year.
 5 Q And how did you come about talking
 6 about that with Ms. Palauchi?
 7 A Because when I turned in a letter for
 8 full-time management and I only turned in one
 9 letter so she called me back and told me that I
 10 had to have three separate letters for three
 11 different positions and we basically just started
 12 talking.
 13 Q Was that a letter of interest for
 14 management positions?
 15 A Yes.
 16 Q That you completed?
 17 A Yes.
 18 Q And you submitted that letter in
 19 early 2007?
 20 A January of 2007, not January. I
 21 think it was January.
 22 (The document referred to was marked
 23 as Defendant's Exhibit 4 and is attached
 24 hereto.)
 25 (Handing document.)

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32 (Pages 122 to 125)